

REMARKS

This Response is submitted in reply to the final Office Action mailed on October 12, 2006. No fee is due in connection with this Response. The Director is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 112703-203 on the account statement.

Claims 9-26 are pending in this application. Claims 1-8 and 27-34 were previously withdrawn. In the Office Action, Claims 9-26 are rejected under 35 U.S.C. §103. For the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, Claims 9-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,949,264 to McGrew et al. ("*McGrew*"). Applicants believe these rejections are improper and respectfully traverse them for at least the reasons set forth below.

The present application, Application Serial No. 09/990,628, and *McGrew*, were, at the time the invention of Application Serial No. 09/990,628 was made, owned by Wm. Wrigley Jr. Company or subject to an obligation of assignment that would establish common ownership by Wm. Wrigley Jr. Company. Therefore, in accordance with 35 U.S.C. §103/§102(e), Applicants respectfully submit that *McGrew* should be removed as a reference, and that this rejection should be withdrawn.

Accordingly, Applicants respectfully request that the obviousness rejections with respect to Claims 9-26 be reconsidered and the rejections be withdrawn.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same.

Respectfully submitted,

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